

RESOLUTION NO. 2008-24

A Resolution of North Kootenai Water District, Kootenai County, Idaho, increasing the capitalization fee for the District; providing for an effective date of this resolution; and providing for other matters properly relating thereto.

NORTH KOOTENAI WATER DISTRICT
Kootenai County, Idaho

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE NORTH KOOTENAI WATER DISTRICT, Kootenai County, Idaho, as follows:

WHEREAS, the North Kootenai Water District ("District") is a duly and properly formed water district under and by virtue of the constitution and laws of the State of Idaho;

WHEREAS, the District is governed by an elected Board of Directors ("Board");

WHEREAS, the Board adopted Ordinance No. 99-4 on May 13, 1999 ("Ordinance No. 99-4") setting forth certain rules of operation for the District and further providing that charges, including capitalization fees could be later established or modified by resolution of the District;

WHEREAS, by resolution, the District increased the capitalization fee most recently to \$2,700.00.

WHEREAS, the Board has followed the processes outlined in Ordinance No. 99-4 to determine that an additional increase in the capitalization fee is warranted;

WHEREAS, the Board by publication as required under Idaho Code has provided notice to the public that it wishes to increase the capitalization fees, has provided notice of public hearing on this issue to be conducted on August 7, 2008 prior to the enactment of the increase in the fee;

NOW, THEREFORE, IT IS HEREBY FURTHER RESOLVED as follows:

Section 1: INCORPORATION OF RECITALS

The Board hereby incorporates the recitals set forth herein, and also in Resolution No. 2008-22, as though they are a part of this resolution.

Section 2: INCREASE OF CAPITALIZATION FEES

After consideration of the public comment and other testimony received, in examining the factors listed in Resolution No. 2008-22 and information provided by the District staff and

engineer, the Board hereby determines that the capitalization fee of the District should be set at ~~\$4,235.00~~ ^{\$4,200.00}

Section 3: EFFECTIVE DATE OF COLLECTION

The effective date of collection of this amount shall be for any person or persons who apply for a building permit on or after August 7, 2008.

Section 4: SEVERABILITY

If any section, paragraph, clause, or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of each section, paragraph, clause, or provision shall in no manner affect any remaining provision of this Resolution.

Section 5: RATIFICATION

The Board hereby ratifies all acts taken by members of the Board and/or agents on behalf of the Board or District relative to the implementation of new Capitalization Fees, and the hearing process is hereby ratified and approved.

Section 6: EFFECTIVE DATE OF RESOLUTION

This Resolution shall take effect and be in force and effect from and after its passage and approval.

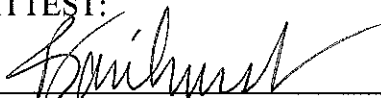
PASSED at a regular meeting of the Board of Directors of the North Kootenai Water District, held on the 7th day of August, 2008, upon which a roll call vote was duly taken and duly enacted.

NORTH KOOTENAI WATER DISTRICT



Chairman

ATTEST:



Secretary

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I, the undersigned, Secretary of the North Kootenai Water District, Kootenai County, Idaho hereby certify that the foregoing Resolution is a full, true, and correct copy of a Resolution duly adopted at a regular meeting of the Board of Directors, duly and regularly held at a regular meeting place thereof on August 7, 2008, of which meeting all members of said Board had due notice and at which a majority thereof were present; and that at said meeting said Resolution was adopted by the following vote:

AYES, and in favor thereof, Boardmembers: 5

NAYS, Boardmembers: 0

ABSENT, Boardmembers: 0

ABSTAIN, Boardmembers: 0

I further certify that I have carefully compared the same with the original Resolution on file and of record in my office; that said Resolution is a full, true, and correct copy of the original Resolution adopted at said meeting; and that said Resolution has not been amended, modified, or rescinded since the date of its adoption, and is now in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of the Board on August 7, 2008.

NORTH KOOTENAI WATER DISTRICT



Bauhurst
Secretary